

REMARKS

Applicants respectfully request reconsideration of the present U.S. Patent application. Claims 29-31 have been added. No claims have been amended or cancelled. Thus, Claims 1-31 are pending.

DRAWINGS

In the Office Action, the drawings were objected to in light of cited informalities. In response, Applicants have amended FIG. 2 and FIG. 6. Applicants have attached a request to approve drawing changes to this response. The request to approve drawing changes includes two copies of FIG. 2 and FIG. 6 with the changes marked in red ink. Applicants respectfully request acceptance of these amended figures. No new matter has been added.

SPECIFICATION

Applicants have amended the Specification so that two referenced patent application numbers are provided. No new matter has been added.

REJECTIONS UNDER 35 U.S.C. § 102(e)

Claims 1-4, 6-7, 10-13, 15-17, 20-21, and 23-28 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,968,116 issued to Day II, et al. (*Day II*). For at least the reasons set forth below, Applicants submit that claims 1-4, 6-7, 10-13, 15-17, 20-21, and 23-28 are not anticipated by *Day II*.

The Manual of Patent Examining Procedure ("MPEP"), in § 2131, states:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir.

1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 869 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Thus, under 35 U.S.C. § 102, a claim is anticipated *only if* each and every element of the claim is found in the cited reference and the cited reference must show the invention in as complete detail as contained in the claim.

Independent claim 1 recites:

detecting alert events on a client using a platform independent agent integrated with said client;

reporting detected alert events by said platform independent agent to a **remote alert proxy** in a platform independent manner complemented by a platform type; and

translating said reported alert events to **platform specific alert events** by said alert proxy.

(Emphasis added). Independent claims 10, 16, 20, 23, 25, and 27 similarly recite translating or translation of alert events.

The Office Action directs the Applicants' attention to FIG. 3 of *Day II* and column 7, lines 7-63, wherein *Day II* discloses:

In accordance with the example file transfer datagram of FIG. 3, **file transfer datagram 300** is depicted comprising header 302, version 304, packet type 306, dgram_size 308, client_data 310, server_data 312, sequence field 314, status 316, file handle 318, I_parm_1 320, I_parm_2 322, data length indicator 324 and data 326.

See column 7, lines 7-12 (emphasis added). The Office Action argues that the cited passage teaches **translating** reported alert events to platform specific alert events by an **alert proxy**. The Applicants respectfully disagree.

The cited passage of *Day II* merely discloses a file transfer **datagram**, as clearly depicted in FIG. 3 of *Day II*. Translation of alert events is not discussed at all and, more specifically, an alert proxy to transfer alert events is not discussed. Therefore, Applicants find nothing in the

cited passage of *Day II* that discloses, “**translating** said reported **alert events** to platform specific alert events by said **alert proxy**,” as recited in claim 1. Thus, for at least the above-stated reasons, Applicants respectfully submit that *Day II* does not anticipate independent claims 1, 10, 16, 20, 23, 25, and 27.

Claims 3-4 and 6-7 depend from claim 1. Claims 11-13 and 15 depend from claim 10. Claim 17 depends from claim 16. Claim 21 depends from claim 20. Claim 24 depends from claim 23. Claim 26 depends from claim 25. Claim 28 depends from claim 27. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 3-4, 6-7, 11-13, 15, 17, 21, 24, 26, and 28 are not anticipated by *Day II*.

REJECTIONS UNDER 35 U.S.C. § 103(a)

Dependent claims 5, 14, and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Day II* in view of U.S. Patent No. 5,968,176 issued to Nessett, et al. (*Nessett*). Claim 5 depends from claim 1. Claim 14 depends from claim 10. Claim 22 depends from claim 20. For at least the reasons sets forth below, Applicants submit that claims 5, 14, and 22 are not rendered obvious by *Day II* in view of *Nessett*.

Dependent claim 5 includes the limitations of claims 1 and 4 and further recites:

...composing said network data packet comprises encapsulating said network data packet according to at least one of a plurality of encapsulating protocols including a remote management and control protocol (RMCP) and a simple network management protocol (SNMP).

Dependent claims 14 and 22 similarly recite encapsulating data packets according to one of a plurality of encapsulating protocols including RMCP and SNMP.

Nessett is cited as teaching the encapsulation of data packets according to at least one of a plurality of encapsulation protocols including the Remote Management and Control Protocol and the Simple Network Management Protocol. Whether or not *Nessett* discloses the limitations

cited by the Office Action, it does not teach or suggest “**translating** said reported **alert events** to platform specific alert events by said **alert proxy**,” as recited in claim 1. Because neither *Day II* nor *Nessett* teach or suggest “**translating** said reported **alert events** to platform specific alert events by said **alert proxy**,” no combination of *Day II* and *Nessett* teaches or suggests the invention as claimed in claims 5, 14, and 22.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-31 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: 11 July 2002

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MARKED VERSION OF THE AMENDED SPECIFICATION PARAGRAPH

IN THE SPECIFICATION

Please amend the Specification as follows:

On page 1, please replace the paragraph starting on line 3 and ending on line 9 with:

This nonprovisional patent application is related to contemporaneously filed nonprovisional patent application number [<42390.P7090>] 09/410,483 entitled "METHOD AND APPARATUS FOR PERFORMING NETWORK-BASED CONTROL FUNCTIONS ON AN ALERT-ENABLED MANAGED CLIENT", and contemporaneously filed nonprovisional patent application number [<42390.P7092>] 09/409,627 entitled "METHOD AND APPARATUS FOR DYNAMIC UNATTENDED NETWORK CONFIGURATION OF AN ALERT-BASED CLIENT".

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PATENT

Attorney Docket No.: 042390.P7091

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sarangam, et al.

Application No: 09/409,627

Filed: September 30, 1999

For: PLATFORM INDEPENDENT ALERT
DETECTION AND MANAGEMENT

Examiner: Y. Won

Art Unit: 2155

Assistant Commissioner For Patents
Washington, D.C. 20231

REQUEST TO APPROVE DRAWING CHANGES

Dear Sir:

Enclosed is a photocopy of FIG. 2 and FIG. 6 with changes marked in red ink. A duplicate copy is provided. FIG. 2 has been amended so that one reference numeral does not point to two objects. FIG. 6 has been amended so that the reference numerals are consistent with the specification. Applicants respectfully request that the proposed changes in FIG. 2 and FIG. 6 be approved by the Examiner.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: 11 July 2002

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner of Patents, Washington, D.C. 20231 on:

11 July 2002
Date of Deposit

DEBORAH L. HIGHAM
Name of Person Mailing Correspondence

SCHEIDT 7/11/02
Signature Date

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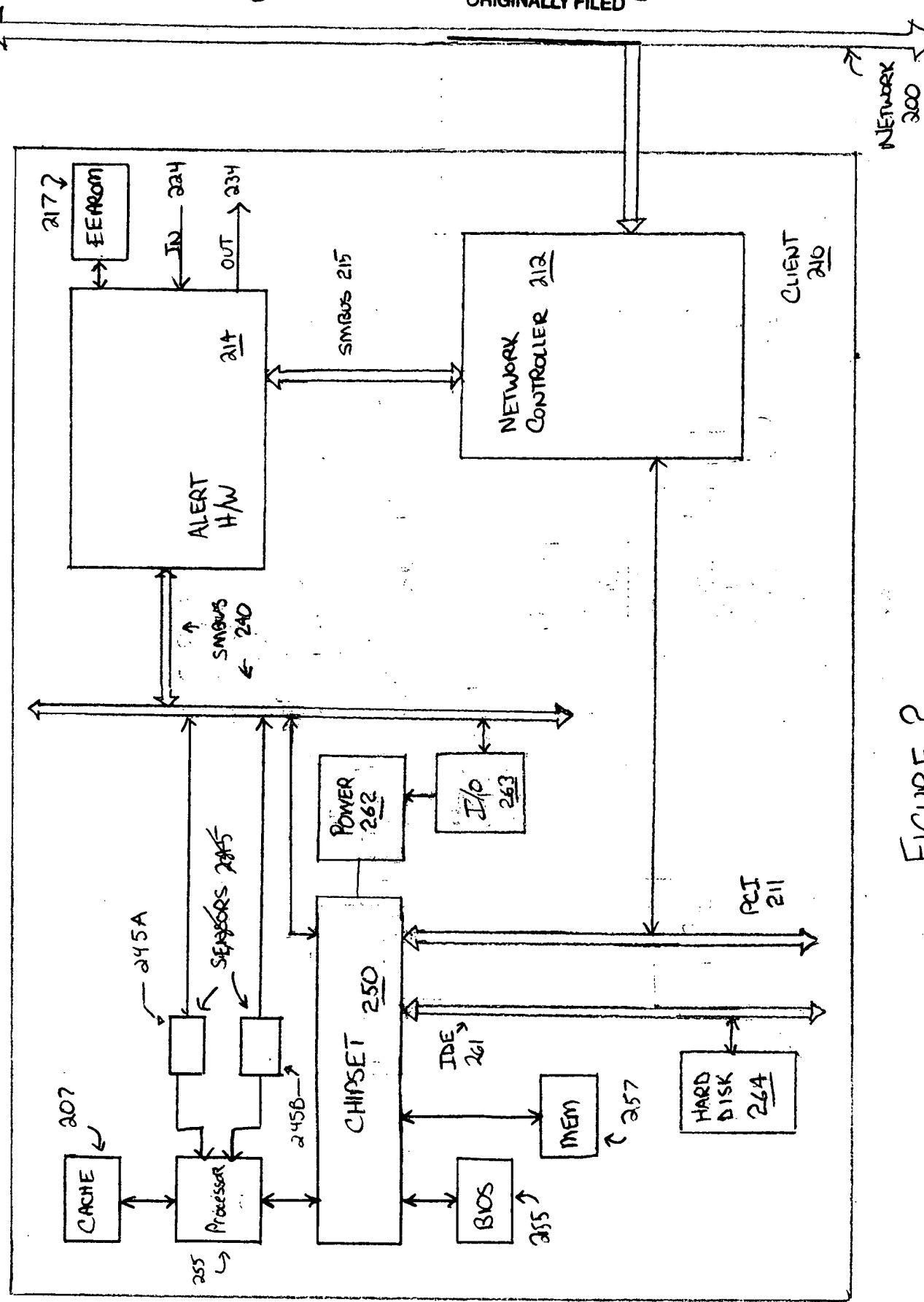


FIGURE 2

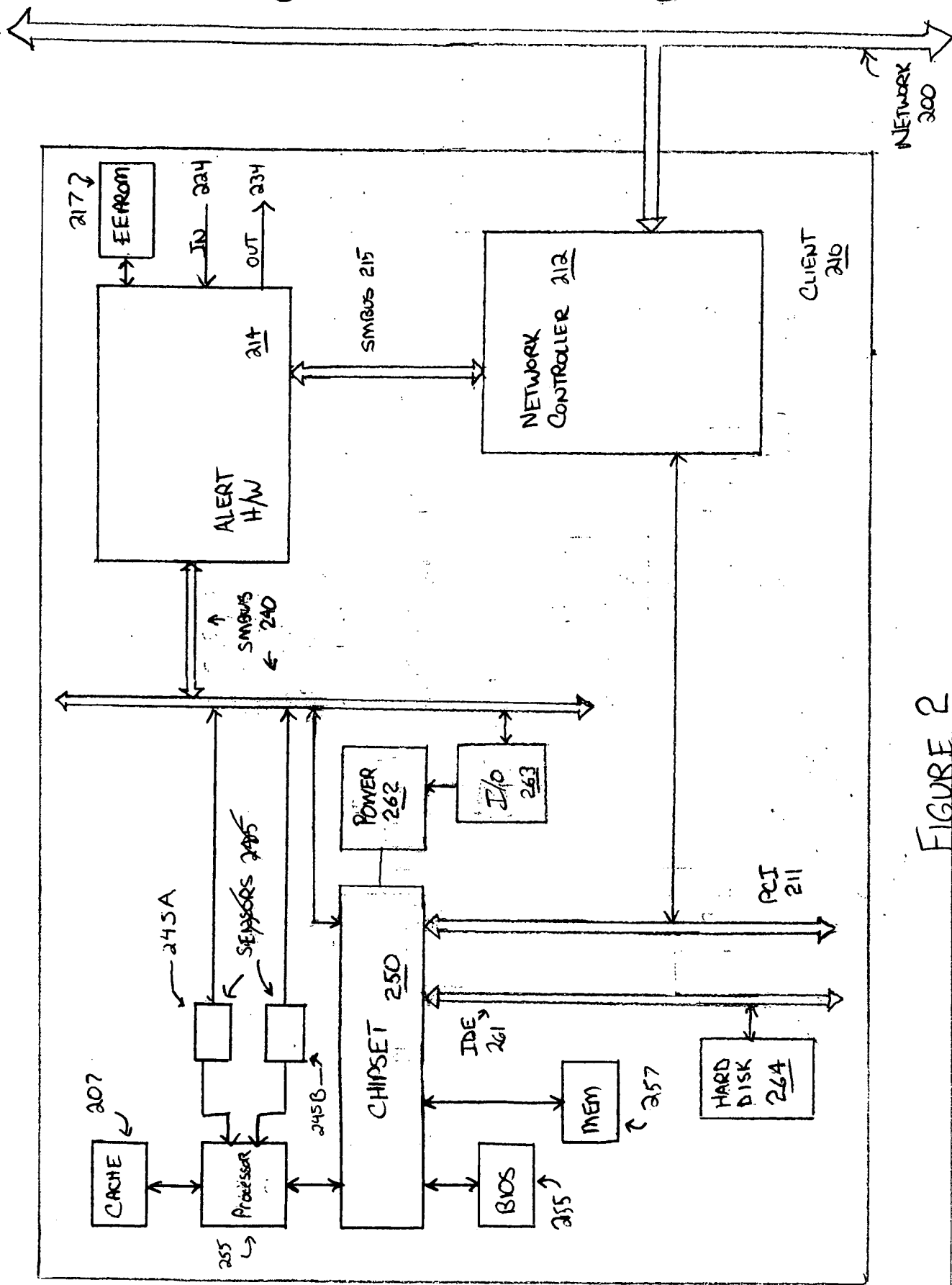


FIGURE 2

Figure 6A

610 → [FUNCTION_LIST]
 0 = 20000;21015
 1 = 20001;21016
 616 → 2 = 20002;21017

 620 → [FUNCTION_MAP]
 622 621 → COMPANYXYZ = 1,1;2,2;3,3;4,4;5,5;9,6

 630 → [SUBFUNCTIONS_2]
 632 → 0 = 16001;16002
 634 → 1 = 16003;16004

 [COMPANYXYZ]
 DeviceType = 0
 StatusPolarity = 0xD9
 StatusPowerupMask = 0x1B
 StatusPowerdownMask = 0x19

 [CompanyXYZ]
 652 → 101 I:300401
 110 W:300402
 114 C:300403

 [CompanyABC]
 662 → 101 300402;300800;300801
 110 300405

Figure 6B

672 → 300401 300402 300403 300800 300801	A failure occurred during testing of the system board A memory parity failure occurred Adapter ROM failure Memory may be defective Replace memory
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Figure 6A

610 → [FUNCTION_LIST]
 0 = 20000;21015
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 621 → COMPANYXYZ = 1,1;2,2;3,3;4,4;5,5;9,6

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Figure 6B

672 → 300401 300402 300403 300800 300801	A failure occurred during testing of the system board A memory parity failure occurred Adapter ROM failure Memory may be defective Replace memory
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